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6 (erroneously named herein as CLEARLAKE POLICE DEPARTMENT)

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAVID DAVIS and PAGE GEARHART-DAVIS) Case No. C 07-03365 EDL
PRO-SE,)
Plaintiffs,) [PROPOSED] ORDER
vs.) GRANTING DEFENDANT CITY
CLEARLAKE POLICE DEPARTMENT,) OF CLEARLAKE'S MOTION FOR
Defendants.) SUMMARY JUDGMENT
Date: August 12, 2008
Time: 9:00 a.m.
Courtroom: E, 15th Floor
Judge: Hon. Elizabeth D.
LaPorte

The motion of defendant CITY OF CLEARLAKE (the "City") for summary judgment, or in the alternative, partial summary judgment, came on regularly for hearing on August 12, 2008, at 9:00 a.m., in Courtroom E of the above-entitled Court. Low, Ball & Lynch appeared on behalf of the City, and plaintiffs DAVID DAVIS and PAGE GEARHART-DAVIS appeared *in propria persona*.

Having read and considered all papers submitted by the parties in regard to this motion, all other matters presented to the court, and after oral argument, the Court finds that there is no genuine issue of fact and the City is entitled to judgment as a matter of law.

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1 Accordingly, it is HEREBY ORDERED that the City's Motion for Summary Judgment is GRANTED,
2 and Plaintiffs' First Amended Complaint in this matter is DISMISSED WITH PREJUDICE.

3 IT IS SO ORDERED.

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5 Dated: _____, 2008.

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7 HON. ELIZABETH D. LAPORTE
8 U.S. MAGISTRATE JUDGE

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